

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DOUGLAS KOTRABA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:10CV2174 FRB
)	
MICHAEL J. ASTRUE, Commissioner)	
of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This cause is on appeal from an adverse ruling of the Social Security Administration. Presently pending before the court is Defendant's Motion To Reverse And Remand With Suggestions In Support. (Docket No. 22). All matters are pending before the undersigned United States Magistrate Judge, with consent of the parties, pursuant to 28 U.S.C. § 636(c).

Defendant answered plaintiff's complaint in this cause on March 21, 2011. In the instant Motion, defendant requests that the matter be remanded for further consideration. In support, defendant avers that "[u]pon reconsideration, the Appeals Council determined that remand was appropriate for further consideration of Plaintiff's mental impairments," and requests remand for this reason. (Docket No. 22 at page 1). On this date, plaintiff filed a response, stating that he had no objection to the instant motion. (Docket No. 23).

A review of defendant's motion shows it to be well-taken.

See, e.g., Buckner v. Apfel, 213 F.3d 1006, 1009-11 (8th Cir. 2000).

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion To Reverse And Remand (Docket No. 22) is granted.

IT IS FURTHER ORDERED that the Commissioner's decision is reversed and this cause is remanded to the Commissioner for further consideration pursuant to sentence four of 42 U.S.C. § 405(g).

A handwritten signature in dark ink, reading "Frederick R. Buckles", is written over a horizontal line.

Frederick R. Buckles
UNITED STATES MAGISTRATE JUDGE

Dated this 8th day of July, 2011.